

REMARKS

Claims 1, 3-10, 14, 16, 18-21, 23, and 25-28 remain pending in the instant application. Claims 1, 3-10, 14-16, 18-21, and 23-28 presently stand rejected. Claims 1, 3, 7, 10, 14, 16, 19, 21, 23, 25, and 27 are amended herein. Claims 15 and 24 are hereby cancelled without prejudice. Claims 29 and 30 are newly presented. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 3-10, 14-16, 18-21, 23, and 25-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,507,611 B1 to Imai et al. (hereinafter “Imai”).

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

Amended independent claim 1 now recites, in pertinent part,

determining whether the received digital audio data is encoded;
selecting a decoding scheme based on one of at least two coding schemes by which the received digital audio is encoded, **if the determining determines that the received digital audio data is encoded;**
decoding the encoded digital audio data in accordance with the selected decoding scheme, **if the determining determines that the received digital audio is encoded;** and

Applicants respectfully submit that Imai fails to disclose determining whether the received digital audio data is encoded. Imai states, “[t]he invention [disclosed in Imai] intends to **decode** and reproduce digital audio signals in real time.” *Imai*, Abstract (emphasis added). Imai further states,

when a request for time-series digital signals, e.g., digital audio signals, is issued from a client terminal 3 to a server 1 via a network 2 ... the server 1 **encodes** the requested audio signals with a predetermined **coding method, and resulting coded data is transmitted** to the client terminal 3 via the network 2.

Imai, col. 5, lines 14-22 (emphasis added). Thus, client terminal 3 disclosed in *Imai* assumes that the time-series digital signals are encoded. *Imai* discloses encoding time-series digital signals prior to transmission to client terminal 3, but fails to disclose transmitting unencoded or decoded digital audio data. As such, *Imai* does not disclose determining whether received digital audio data is encoded, nor does it disclose, selecting a decoding scheme or decoding encoded digital data **“if the determining determines that the received digital audio data is encoded.”**

Consequently, *Imai* fails to anticipate each and every element of claim 1, as required under M.P.E.P. § 2131. Amended independent claims 10, 16, and 21 recite similar language. Accordingly, Applicants request that the instant § 102 rejections be withdrawn.

Amended independent claim 10 is novel over *Imai* for another independent reason. Claim 10 now recites, in pertinent part, “A special purpose audio-rendering device....” In contrast, referring to FIG. 3 of *Imai*, client terminal 3 is disclosed as having “a construction basically similar to that of the server 1.” *Imai*, col. 5, line 60. Client terminal 3 includes a CPU 22 and the elements of a general-purpose computer. Consequently, client terminal 3 does not disclose a special purpose audio-rendering device.

Amended independent claim 16 is novel over *Imai* for another independent reason. Claim 16 now recites, in pertinent part, a system including “stereo equipment communicatively coupled to the audio bridging device, the stereo equipment to amplify the analog audio.” Applicants respectfully submit that *Imai* fails to disclose stereo equipment communicatively coupled to an audio bridging device.

Finally, amended independent claim 25 now recites, in pertinent part, “transmitting the plurality of data segments across at least one of a plurality of networks including a **home phonenumber network, a powerline network, and a HomeRF network** to an audio-rendering device.” *Imai* fails to disclose this recited element of claim 25.

To be sure, *Imai* discloses,

In the transmission system, when a request for time-series digital signals, e.g., digital audio signals, is issued from a client terminal 3 to a server 1 via a **network 2 such as Internet, ISDN (Integrated Service Digital Network) or PSTN (Public Switched Telephone Network)**, the server 1

encodes the requested audio signals with a predetermined coding method, and resulting coded data is transmitted to the client terminal 3 via the network 2.

Imai, col. 5, lines 14-21 (emphasis added). Thus, Imai discloses a network 2 for transmitting time-series digital signals there over, but only discloses network 2 as including the Internet, an ISDN, or a PSTN. The Internet, an ISDN, or a PSTN simply do not disclose a home phonline network, a powerline network, and a HomeRF network.

Consequently, Imai fails to disclose each and every element of independent claim 25, as required under M.P.E.P. § 2131. Accordingly, Applicants request that the instant § 102 rejection of claim 25 be withdrawn.

Dependent claims 3-9, 14, 15, 18-20, 23, and 26-28 are novel over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 102 rejections for claims 3-9, 14, 15, 18-20, 23, and 26-28 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

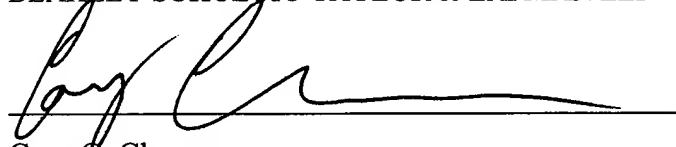
CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: Feb. 20, 2004



Cory G. Claassen

Reg. No. 50,296

Phone: (206) 292-8600

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on February 20, 2004
Date of Deposit


Adrian Villarreal

February 20, 2004
Date